

# UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

KEVIN MYLES, II

Date of Previous Judgment: 1/20/05

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: 04-80010

) USM No: 32379-039

) Nancy McGunn

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 1/20/05 months is reduced to TIME SERVED.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 25

Amended Offense Level: 23

Criminal History Category: III

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Previous Guideline Range: 70 to 87 months

Amended Guideline Range: 57 to 71 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 1/20/05 shall remain in effect.

IT IS SO ORDERED.

Order Date: March 31, 2008

Effective Date: (if different from order date)

*Patrick J. Duggan*

Judge's signature

PATRICK J. DUGGAN  
U.S. DISTRICT JUDGE

Printed name and title